

# NATURAL RESOURCE COMMISSION[571]

## Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), 481A.5, 481A.6, and 481A.39, the Natural Resource Commission hereby amends Chapter 52, "Wildlife Refuges," Iowa Administrative Code.

Chapter 52 contains the regulations for establishing wildlife refuges for the purpose of preserving biological balance and for promoting sound wildlife management. Hunting is not permitted in refuges so as to create a de facto safe zone for the wildlife. This amendment removes two areas that are no longer needed as waterfowl refuges because there are enough refuges in the general area without them. The high number of refuges in the area prevented any one of them from being as effective as planned. The areas delisted are Three Mile Lake in Union County and Lake Sugema in Van Buren County. Importantly, the two areas removed will remain public lands open for recreation, including hunting.

In addition, the amendment adds a new waterfowl refuge known as Union Hills in Cerro Gordo County. This new refuge is needed to encourage the growth of waterfowl in this area of the state of Iowa. This area is already state land currently under Department management. A small portion of this area is being redesignated from a wildlife management area to a waterfowl refuge.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 1, 2013, as **ARC 0720C**. A public hearing was held on May 23, 2013. Seven comments were received from the public during the comment period, and all but one supported the proposed change. No changes were made from the Notice.

The amendment will have a positive effect on jobs by increasing opportunities for waterfowl hunting and viewing in Union, Cerro Gordo, and Van Buren Counties. Since waterfowl hunters frequently travel the entire state to enjoy different locations and zone-specific dates, the waterfowl hunting opportunities created in these specific counties will be enjoyed by hunters statewide. Waterfowl hunting benefits local economies and associated jobs, through equipment retailers, guide services, transportation services, and restaurants.

This amendment is intended to implement Iowa Code sections 455A.5(6), 481A.5, 481A.6, and 481A.39.

This amendment will become effective on August 14, 2013.

The following amendment is adopted.

Amend subrule 52.1(3) as follows:

**52.1(3) *Waterfowl refuges.*** The following areas under the jurisdiction of the department of natural resources are established as waterfowl refuges where posted. It shall be unlawful to hunt ducks and geese on the following areas, where posted, at any time during the year. It shall be unlawful to trespass in any manner on the following areas, where posted, during the dates posted, both dates inclusive, except that department personnel, law enforcement officials, and other persons specifically authorized by the department of natural resources may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter the area when specifically authorized by the department of natural resources.

Area	County
Lake Icaria . . . . .	Adams
Pool Slough Wildlife Area . . . . .	Allamakee
Rathbun Area . . . . .	Appanoose, Lucas, Wayne
Sedan Bottoms . . . . .	Appanoose
Sweet Marsh . . . . .	Bremer
Big Marsh . . . . .	Butler
<u>Union Hills</u> . . . . .	<u>Cerro Gordo</u>
Ventura Marsh . . . . .	Cerro Gordo
Round Lake . . . . .	Clay
Jemmerson Slough Complex . . . . .	Dickinson

Forney Lake . . . . .	Fremont
Riverton Area . . . . .	Fremont
Dunbar Slough . . . . .	Greene
Bays Branch . . . . .	Guthrie
Crystal Hills . . . . .	Hancock
Eagle Flats . . . . .	Hancock
Eagle Lake . . . . .	Hancock
Green Island Area . . . . .	Jackson
Muskrat Slough . . . . .	Jones
Red Rock Area . . . . .	Marion, Polk, Warren
Badger Lake . . . . .	Monona
Chichaqua Area . . . . .	Polk
McCausland . . . . .	Scott
Princeton Area . . . . .	Scott
Otter Creek Marsh . . . . .	Tama
Three Mile Lake . . . . .	Union
Lake Sugema . . . . .	<del>Van Buren</del>
Rice Lake Area . . . . .	Winnebago
Snyder Bend Lake . . . . .	Woodbury
Elk Creek Marsh . . . . .	Worth

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